

- Sec.  
 450. Liability of vessel.  
 451. Supervisor of harbor; appointment and duties.  
 451a. Harbors subject to this subchapter.  
 451b. Waters included within subchapter.  
 452. Taking shellfish or otherwise interfering with navigation in New York Harbor channels; penalty; arrest and procedure.  
 453. Regulations for navigation of Ambrose Channel; exclusion of tows and sailing vessels.  
 454. Consent of Congress to obstruction of waters by New York City.

#### SUBCHAPTER IV—POTOMAC RIVER AND TRIBUTARIES IN DISTRICT OF COLUMBIA

- 461 to 464. Repealed.

#### SUBCHAPTER V—NAVIGABLE WATERS OF MARYLAND

465. Authority to dredge; riparian rights of United States.

#### SUBCHAPTER VI—WATER POLLUTION CONTROL

- 466 to 466g. Transferred.

- 466g-1. Controversies involving construction or application of interstate compacts and pollution of waters.  
 (a) Jurisdiction of actions by States.  
 (b) Amount in controversy; residence, situs or citizenship; nature, character, or legal status of parties.  
 (c) Suits between States signatory to interstate compact.  
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 466h to 466n. Transferred or Repealed.

#### SUBCHAPTER VII—DAM INSPECTION PROGRAM

467. Definitions.  
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 (a) In general.  
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 (d) Research.  
 (e) Staff.  
 (f) Limitation on use of amounts.  
 467k to 467m. Repealed.  
 467n. Recovery of dam modification costs required for safety purposes.

#### CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1371, 1416, 2601, 2602 of this title.

#### SUBCHAPTER I—IN GENERAL

##### § 401. Construction of bridges, causeways, dams or dikes generally; exemptions

It shall not be lawful to construct or commence the construction of any bridge, causeway, dam, or dike over or in any port, roadstead, haven, harbor, canal, navigable river, or other navigable water of the United States until the consent of Congress to the building of such structures shall have been obtained and until the plans for (1) the bridge or causeway shall have been submitted to and approved by the Secretary of Transportation, or (2) the dam or dike shall have been submitted to and approved by the Chief of Engineers and Secretary of the Army. However, such structures may be built under authority of the legislature of a State across rivers and other waterways the navigable portions of which lie wholly within the limits of a single State, provided the location and plans thereof are submitted to and approved by the Secretary of Transportation or by the Chief of Engineers and Secretary of the Army before construction is commenced. When plans for any bridge or other structure have been approved by the Secretary of Transportation or by the Chief of Engineers and Secretary of the Army, it shall not be lawful to deviate from such plans either before or after completion of the structure unless modification of said plans has previously been submitted to and received the approval of the Secretary of Transportation or the Chief of Engineers and the Secretary of the Army. The approval required by this section of the location and plans or any modification of plans of any bridge or causeway does not apply to any bridge or causeway over waters that are not subject to the ebb and flow of the tide and that are not used and are not susceptible to use in their natural condition or by reasonable improvement as a means to transport interstate or foreign commerce.

(Mar. 3, 1899, ch. 425, §9, 30 Stat. 1151; Oct. 15, 1982, Pub. L. 97-322, title I, §107(b), 96 Stat. 1582; Jan. 12, 1983, Pub. L. 97-449, §2(f), 96 Stat. 2440.)

#### CODIFICATION

Section is from act Mar. 3, 1899, popularly known as the "Rivers and Harbors Appropriation Act of 1899", and together with section 403 of this title superseded act Sept. 19, 1890, ch. 907, §7, 26 Stat. 454, as amended by act July 13, 1892, ch. 158, §3, 27 Stat. 88, which prohibited the erection of obstructions to navigation, and prohibited the erection of bridges over navigable waters under State legislation before the approval of the plans by the Secretary of War, and prohibited the alteration of channels unless authorized by that Secretary.

#### AMENDMENTS

1983—Pub. L. 97-449 amended section generally to reflect transfer of certain functions, powers, and duties of Secretary of the Army under this section to Secretary of Transportation. See Transfer of Functions note below.

1982—Pub. L. 97-322 inserted sentence at end relating to exemption.

#### TRANSFER OF FUNCTIONS

Enforcement functions of Secretary or other official in Department of Transportation related to compliance with permits for bridges across navigable waters issued